

**REMARKS**

In accordance with the foregoing, the specification and claims 1, 2, 8, 9, and 14 have been amended. Claims 3, 5-7 and 10-13, non-elected in the preceding Response, are cancelled without prejudice.

Claims 1, 2, 4, 8, 9 and 14 are pending and under consideration.

**PAGES 2-6 OF THE ACTION: REJECTION OF CLAIMS 1, 2, 4, 8, 9 AND 14 FOR ANTICIPATION UNDER 35 U.S.C. §102(B) BY EZEKIEL, ET AL.(U.S. PATENT NO. 5,625,783).**

The rejection is respectfully traversed.

Ezekiel discloses a method for dynamically configuring a menu, in which "shell 330 uses an organizational plan that is predetermined and built into the design of application program 260" (lines 16-18 of col. 9). Accordingly, a menu control is conducted based on a definition file (organizational plan) created beforehand for each application. In addition, "It is readily extensible to new groups and menus introduced by add-on software components. For example, the add-on components can specify where a new group or menu is to appear in relation to an existing group or menu" (lines 21-25 of col. 9). Accordingly, the definition file is used as it is.

It is respectfully submitted that the method disclosed by Ezekiel corresponds to the prior art cited in the specification of the present application - - and which method has problems, as described in the specification lines 22-37 of page 1. Moreover, it follows clearly that whereas the present invention overcomes those problems, Ezekiel does not.

Accordingly, Ezekiel does not disclose setting one or more of said menu items being registered in a definition file to be suppressed, and indicating a suppress process to said one or more of said menu items (line 1 of page 12 to line 18 of page 13). As before noted, in the method of Ezekiel, a user cannot modify the definition file.

It follows that Ezekiel is a "teaching-away" from the present invention and necessarily fails to suggest or render same obvious, much less to anticipate the invention defined by the claims pending herein.

**CONCLUSION**

In accordance with the foregoing, it is respectfully submitted the pending claims distinguish patentably over the Ezekiel, et al. reference.

There being no further outstanding objections or rejections, it is submitted that the

Serial No. 09/940,662

Docket No.: 1614.1183

application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: November 17, 2004

By: 

H. J. Staas

Registration No. 22,010

1201 New York Avenue, NW, Suite 700  
Washington, D.C. 20005  
Telephone: (202) 434-1500  
Facsimile: (202) 434-1501